

**REMARKS**

Reconsideration and allowance in view of the foregoing amendments and the following remarks is respectfully requested.

Claim Amendments/Status

Claims 1 and 7 have been amended to clarify the claim language previously submitted. Claims 6 and 12 have been previously cancelled. Accordingly, claims 1-5 and 7-11 remain pending in the application.

Claim Objections

Claim 1 is objected due to informalities of the terminology used. In response, the specific terminology objected to by the Examiner has been removed. Accordingly, the objection is now moot.

Rejection under 35 USC § 112

Claims 1-5 and 7-11 are rejected under 35 USC 112, first paragraph, as failing to comply with the written description requirement. In particular, regarding claim 1, the Examiner states, “the very definition of deviation-expected implies a determination of a likelihood or expectation that the mobile object will deviate at that particular point.” In response, the particular claim language cited by the Examiner has been removed. Accordingly, the rejection is now moot.

Rejection under 35 USC § 102

Claims 1-5 and 7-11 are rejected under 35 USC 102(b) as being anticipated by *Ito et al.* (U.S. Patent No. 6,249,740 B1), hereinafter as *Ito*. Applicants respectfully traverse this rejection for at least the following reasons.

First, amended claim 1 now recites, *inter alia*, “wherein the plurality of deviation-expected paths are precalculated from all nodes between the departure point and the destination, the nodes being arbitrary places along the navigation path where the mobile object may deviate from the navigation path.” Applicants respectfully submit the deviation-expected paths of *Ito* are different than the deviation-expected paths of claim 1. *Ito* discloses a communication navigation system in which data is transmitted and received between a navigation base apparatus provided at a navigation base and a vehicle navigation apparatus provided in a vehicle, wherein the deviation-expected paths are **only** determined in a predetermined range for each of the specified intersections of the recommended route (*see Ito*, column 38, line 61-column 39, line 16). By contrast, the deviation-expected paths of claim 1 are determined by taking **all** nodes between the departure point and the destination into consideration (see specification, page 6, line 33-page 7, line 14 and page 9, line 14-24 for support of amended claim 1). Nowhere does *Ito* disclose or teach determining the deviation-expected paths throughout the entire recommended route.

Second, Applicants submit that the steps of generating deviation-expected path of *Ito* are different than the deviation-expected paths of claim 1. *Ito* discloses a communication navigation system in which data is transmitted and received between a navigation base apparatus provided at a navigation base and a vehicle navigation apparatus provided in a vehicle, wherein when a vehicle deviates from a recommended route, the navigation system first determines whether the deviation from the recommended route provides a shorter route to the destination or not. If the deviation provides a shorter route than the recommended route to the destination, the navigation system will not produce a new route. However, if the deviation provides a longer route than the recommended route to the destination, the navigation system will attempt to direct the vehicle back to the recommended route (*see Ito*, column 22, lines 20-28).

Unlike *Ito*, the process of generating deviation-expected paths of the subject application foregoes the process of determining whether the deviation from the recommended route provides a shorter route to the destination or not. Instead, claim 1 provides an optimum or short-cut path based on the vehicle’s present position (see specification, page 7, lines 7-26 for support of

amended claim 1). The subject application is advantageous over *Ito* because it foregoes the extra steps of calculating and comparing the distance between returning the vehicle back to the recommended route and the new route, thus, does not introduce addition time delay in providing a revised navigation path.

For the reasons stated above, Applicants submit that *Ito* fails to disclose, teach or suggest the features stated above regarding claim 1. Accordingly, the rejection of independent claim 1 under 35 U.S.C. §102(b) is improper. Independent claim 7 recites features that are similar to claim 1, and Applicants submit claim 7 is likewise patentable over *Ito*.

Claims 2-5, 8-11, and 13-14 depend variously from claim 1 or 7, include further limitations, and are patentable over *Ito* for at least the reasons advanced above with respect to claim 1 or 7. Accordingly, withdrawal of the rejections of claims 2-5 and 8-11 is respectfully requested.

### Conclusion

All objections and rejections having been addressed, it is respectfully submitted that the present application should be in condition for allowance and a Notice to that effect is earnestly solicited. Early issuance of a Notice of Allowance is courteously solicited.

The Examiner is invited to telephone the undersigned, Applicant's attorney of record, to facilitate advancement of the present application. To the extent necessary, a petition for an extension of time under 37 C.F.R. 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account 07-1337 and please credit any excess fees to such deposit account.

Respectfully submitted,

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